

REMARKS AND ARGUMENTS

Claims 1-10 are pending in the present application. Claims 6, 8 and 10 have been amended. Claims 6 and 10 now incorporate the limitation of original claim 7, which has been canceled.

Claims 1-10 were rejected under 35 U.S.C. § 102(b) or 35 U.S.C. § 103(a) over Meitzner et al. ("Meitzner"). Applicants respectfully traverse this rejection.

Meitzner teaches a minimum crosslinker level of 4 to 6%, with a maximum of 25% (Col. 5, lines 20-30). In asserting that "the amount of divinylbenzene monomer employed reads on the claimed amount" the Office Action also cites Col. 7, line 56 et seq. to expand this limit. However, at Col. 7, lines 57-58, Meitzner says that the amount of crosslinker "may be varied widely within the scope of the present invention." (emphasis added) This qualification strictly limits the teaching of Meitzner to crosslinker amounts of no less than 4%. Thus, Meitzner not only does not suggest using smaller amounts of crosslinker, it actually teaches away from doing so.

In contrast, no claim in the present application recites a crosslinker level greater than 2%. Applicants have produced beads with no void spaces having a diameter greater than 5 μm , and having a low level of monomer residues derived from crosslinker. Meitzner teaches preparation of beads "having macroreticular structure" (Abstract) by incorporating into the monomer mixture 25-60% (Col. 3, line 66) of a "precipitant," i.e., a compound which is a solvent for the monomers, but not the polymer. There is nothing in Meitzner to suggest the limitations of the present claims, and accordingly, Applicants respectfully submit that the rejection should be withdrawn.

Moreover, Applicants submit herewith the Declaration of Dr. James C. Bohling, which demonstrates that beads having 2% crosslinker and a "precipitant," i.e., a porogen, according to Meitzner's procedure, do not meet the void space limitation of the present claims. Paragraph 7 of the Declaration summarizes the key points of the Figures. Figure 1 shows that beads made according to the present invention are completely free of visible void spaces. In contrast, Figures 2-5 show that beads prepared by the Meitzner method, but at low crosslinker levels, have numerous void spaces larger than 5 μm . The central teaching of Meitzner is the use of porogens, and there is no suggestion to use lower crosslinker levels or to omit the porogen. The improved properties of beads made according to the present invention could not have been predicted from Meitzner. For this reason as well, Applicants believe that the present claims are patentable, and respectfully request that the rejection be withdrawn and the application allowed.

If the Examiner has any further objections to the application, Applicants respectfully request that the Examiner contact Applicants' undersigned attorney by telephone at (847) 649-3891 to discuss the remaining issues.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Kenneth Crimaldi".

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